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EXAMINER

LAZARO, DAVID R

ART UNIT	PAPER NUMBER
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2155

MAIL DATE	DELIVERY MODE
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08/21/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/777,354

Applicant(s)

PROHOFSKY, THOMAS ROY

Examiner

DAVID LAZARO

Art Unit

2155

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CIS)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This office action is in response to the RCE filed 06/16/2008.
2. Claims 1, 6, 9, 10 and 15 were amended.
3. Claim 5 is canceled.
4. Claims 1-4 and 6-20 are pending in this office action.

Continued Examination Under 37 CFR 1.114

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/16/2008 has been entered.

Response to Amendment

6. Applicant's arguments with respect to claims 1-4 and 6-20 have been considered but are moot in view of the new ground(s) of rejection. Arguments still pertinent to the new grounds of rejection are addressed in the Response to Arguments.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-7, 9-12 and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,930,801 by Falkenhaimer et al. (Falkenhaimer) in view of U.S. Patent 6,157,953 by Chang et al. (Chang), U.S. Patent 5,708,780 by Levergood et al. (Levergood) and U.S. Patent Application Publication 2002/0194326 by Gold et al. (Gold).

9. With respect to claim 1, Falkenhaimer teaches a method comprising:
initializing a program on a file server (Col. 3 lines 13-17 and Col. 11 lines 40-51: command utility program has been initialized on the server) , the program being capable of creating an account without further administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention);

requesting the account from a requestor, the requestor being capable of bypassing communication to an administrator (Col. 8 line 50 - Col. 9 line 22: user can request to create an account, i.e. register); and

processing a request for the account wherein the program is capable of processing the request and bypassing an intervening administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention).

While it is generally implied that an administrator is responsible for initializing network services (Col. 1 lines 20-56), Falkenhaimer does not explicitly disclose initializing the program on the file server through administrator action to activate the program. Chang teaches that it is known that administrators are typically responsible for activating and managing services in a network server environment (Col. 1 lines 14-34).

It would have been obvious to one of ordinary skill in the art to have administrator action, such as taught by Chang, activate the program of Falkenhaimer. Using the known technique of administrator action for activating services to provide the program activation required in Falkenhaimer would have been obvious to one of ordinary skill in the art.

Falkenhaimer does not explicitly disclose the processing the request further includes checking for mode enablement to determine if the requestor has permission to request the account and checking for an account limitation to determine if a maximum number of accounts created has been reached. Levergood teaches a process for improving access control in relation to account creation which includes determining if a requestor has permission to create an account (In Levergood: Col. 6 line 58 - Col. 7 line 14). Gold teaches a process for capacity management in relation to user accounts that determines if a maximum number of accounts have been created (In Gold [0050]).

Thus, it would have been obvious to one of ordinary skill in the art to apply the techniques of account creation permissions and determining if a maximum number of accounts has been reached as taught in Levergood and Gold respectively, to improve

upon the account creation system of Falkenhaimer for the predictable result of providing additional access control and capacity management of system resources.

10. With respect to claim 2, Falkenhaimer further teaches wherein initializing the program includes activating the program, the program being capable of operating continuously (In Falkenhaimer: Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: command utility is operating continuously to handle user commands).

11. With respect to claim 3, Falkenhaimer further teaches wherein requesting the account includes transmitting an account identifier to the program (In Falkenhaimer: Col. 8 lines 50-65: name or address of user).

12. With respect to claim 4, Falkenhaimer further teaches wherein processing the request includes executing operations when the program receives an account identifier (In Falkenhaimer: Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: operations are executed to create the account according to the request).

13. With respect to claim 7, Falkenhaimer further teaches wherein processing the request further includes creating a directory and configuring software settings (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13).

14. With respect to claim 9, Falkenhaimer teaches a method for account creation without administrator intervention, comprising:

initializing a program (Col. 3 lines 13-17 and Col. 11 lines 40-51: command utility program has been initialized on the server), the program being capable of monitoring a network connection for an account request and capable of creating an account without

further administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention);

receiving the account request and authenticating an account identifier for a new account (Col. 8 line 50 - Col. 9 line 13: account created according to security considerations and permissions); and

processing the account request by creating a location in a structure managed by an operating system for maintaining accounts (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account creates object in a database all managed by command utility program).

While it is generally implied that an administrator is responsible for initializing network services (Col. 1 lines 20-56), Falkenhaimer does not explicitly disclose initializing the program through administrator action to activate the program. Chang teaches that it is known that administrators are typically responsible for activating and managing services in a network server environment (Col. 1 lines 14-34).

It would have been obvious to one of ordinary skill in the art to have administrator action, such as taught by Chang, activate the program of Falkenhaimer. Using the known technique of administrator action for activating services to provide the program activation required in Falkenhaimer would have been obvious to one of ordinary skill in the art.

Falkenhaimer does not explicitly disclose the processing the request further includes checking for mode enablement to determine if the requestor has permission to request the account and checking for an account limitation to determine if a maximum

number of accounts created has been reached. Levergood teaches a process for improving access control in relation to account creation which includes determining if a requestor has permission to create an account (In Levergood: Col. 6 line 58 - Col. 7 line 14). Gold teaches a process for capacity management in relation to user accounts that determines if a maximum number of accounts have been created (In Gold [0050]).

Thus, it would have been obvious to one of ordinary skill in the art to apply the techniques of account creation permissions and determining if a maximum number of accounts has been reached as taught in Levergood and Gold respectively, to improve upon the account creation system of Falkenhaimer for the predictable result of providing additional access control and capacity management of system resources.

15. With respect to claim 10, Salas teaches a system for creating an account without an administrator action, comprising:

a requestor operating on a client, the client being coupled to a connector, wherein the requestor is capable of requesting the account (Col. 8 line 50 - Col. 9 line 22: user can request to create an account, i.e. register) ; and

a program capable of continuous operation on a file server (In Falkenhaimer: Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: command utility is operating continuously to handle user commands), the file server being coupled to the connector, wherein the program is capable of monitoring a connection point for a request to create the account and subsequently creating the account without further administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention).

While it is generally implied that an administrator is responsible for initializing network services (Col. 1 lines 20-56), Falkenhaimer does not explicitly disclose the program being activated through administrator action. Chang teaches that it is known that administrators are typically responsible for activating and managing services in a network server environment (Col. 1 lines 14-34).

It would have been obvious to one of ordinary skill in the art to have administrator action, such as taught by Chang, activate the program of Falkenhaimer. Using the known technique of administrator action for activating services to provide the program activation required in Falkenhaimer would have been obvious to one of ordinary skill in the art.

Falkenhaimer does not explicitly disclose the processing the request further includes checking for mode enablement to determine if the requestor has permission to request the account and checking for an account limitation to determine if a maximum number of accounts created has been reached. Levergood teaches a process for improving access control in relation to account creation which includes determining if a requestor has permission to create an account (In Levergood: Col. 6 line 58 - Col. 7 line 14). Gold teaches a process for capacity management in relation to user accounts that determines if a maximum number of accounts have been created (In Gold [0050]).

Thus, it would have been obvious to one of ordinary skill in the art to apply the techniques of account creation permissions and determining if a maximum number of accounts has been reached as taught in Levergood and Gold respectively, to improve

upon the account creation system of Falkenhaimer for the predictable result of providing additional access control and capacity management of system resources.

16. With respect to claim 11, Falkenhaimer further teaches a database for authenticating an account identifier (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 14).

17. With respect to claim 12, Falkenhaimer further teaches wherein the program is coupled to the database (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 14 and see Fig. 1).

18. With respect to claim 15, Salas teaches a network, comprising:

a first computer coupled to a network connector, the first computer being capable of requesting the creation of an account (Col. 8 line 50 - Col. 9 line 22: user can request to create an account, i.e. register); and

a second computer coupled to the network connector; and a program residing in the second computer, wherein the program creates the account without further administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention)

While it is generally implied that an administrator is responsible for initializing network services (Col. 1 lines 20-56), Falkenhaimer does not explicitly disclose the program being activated through administrator action. Chang teaches that it is known that administrators are typically responsible for activating and managing services in a network server environment (Col. 1 lines 14-34).

It would have been obvious to one of ordinary skill in the art to have administrator action, such as taught by Chang, activate the program of Falkenhaimer. Using the known technique of administrator action for activating services to provide the

program activation required in Falkenhaimer would have been obvious to one of ordinary skill in the art.

Falkenhaimer does not explicitly disclose the processing the request further includes checking for mode enablement to determine if the requestor has permission to request the account and checking for an account limitation to determine if a maximum number of accounts created has been reached. Levergood teaches a process for improving access control in relation to account creation which includes determining if a requestor has permission to create an account (In Levergood: Col. 6 line 58 - Col. 7 line 14). Gold teaches a process for capacity management in relation to user accounts that determines if a maximum number of accounts have been created (In Gold [0050]).

Thus, it would have been obvious to one of ordinary skill in the art to apply the techniques of account creation permissions and determining if a maximum number of accounts has been reached as taught in Levergood and Gold respectively, to improve upon the account creation system of Falkenhaimer for the predictable result of providing additional access control and capacity management of system resources.

19. With respect to claim 16, Falkenhaimer further teaches a network attached storage (NAS) device coupled to the network connector, the NAS device being capable of storing the account (In Falkenhaimer: Col 8 line 66 - Col. 9 line 13 and see Fig. 1).

20. With respect to claim 17, Falkenhaimer further teaches a database coupled to the network connector, the database capable of providing data to authenticate an account identifier (In Falkenhaimer: Col 8 line 66 - Col. 9 line 13 and see Fig. 1).

21. With respect to claim 18, Falkenhaimer further teaches wherein the network connector is capable of facilitating file sharing (In Falkenhaimer: Col. 2 lines 12-28).
22. With respect to claim 19, Falkenhaimer further teaches a directory in a directory structure (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13).
23. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Falkenhaimer in view of Chang, Levergood and Gold (hereinafter Modified Falkenhaimer) and in further view of U.S. Patent 7,003,668 by Berson et al. (Berson).
24. With respect to claim 6, Modified Falkenhaimer teaches receiving and resolving the account identifier with security considerations (Col. 8 line 50 - Col. 9 line 13) but does not explicitly disclose manipulating security tokens to encrypt the account identifier and an account password.

Berson teaches the encryption of an account identifier and an account password using a key (token) in order to protect the information from unauthorized use (Col. 2 lines 13-21, Col. 3 line 58-66 and Col. 5 line 56 - Col. 2).

Thus it would have been obvious to one of ordinary skill in the art to apply the technique of encrypting account information using security tokens as taught in Berson, to improve upon the account creation system of Modified Falkenhaimer for the predictable result of providing protection against unauthorized access and usage of a user's account information.

25. Claims 8, 13, 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Falkenhaimer in view of Chang, Levergood and Gold (hereinafter Modified Falkenhaimer) as applied to claims 7, 11 and 19 above, and further in view of U.S. Patent 5,734,831.

26. With respect to claim 8, while Modified Falkenhaimer teaches creating a directory as part of account creation processing (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13), Modified Falkenhaimer does not explicitly disclose the processing includes allocating locations on a directory tree structure.

Sanders teaches the processing of an account creation request can included the creation of a directory, including allocating locations on a directory tree structure (Col. 10 lines 13-32).

Because both Modified Falkenhaimer and Sanders teach methods for processing account creation requests, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute one method for the other for the predictable result of processing an account creation request in order to create an account.

27. With respect to claim 13, while Modified Falkenhaimer teaches creating a directory as part of account creation processing (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13), Modified Falkenhaimer does not explicitly disclose a directory in a directory tree structure.

Sanders teaches the processing of an account creation request can included the creation of a directory tree structure (Col. 10 lines 13-32).

Because both Modified Falkenhaimer and Sanders teach methods for processing account creation requests, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute one method for the other for the predictable result of processing an account creation request in order to create an account.

28. With respect to claim 14, Modified Falkenhaimer further teaches wherein the program initiates at least one process to create the directory (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13) (In Sanders: Col. 10 lines 1-32).

29. With respect to claim 20, while Modified Falkenhaimer teaches creating a directory as part of account creation processing (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13), Modified Falkenhaimer does not explicitly disclose a directory in a directory tree structure.

Sanders teaches the processing of an account creation request can included the creation of a directory tree structure (Col. 10 lines 13-32).

Because both Modified Falkenhaimer and Sanders teach methods for processing account creation requests, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute one method for the other for the predictable result of processing an account creation request in order to create an account.

Response to Arguments

30. Applicant argues in the remarks filed 06/16/08 - "*Falkenhaimer also teaches that "a guest entering the system creates an account on his own motion and does not have to receive specific permission" (Col. 14, lines 9-12). Thus, in Falkenhaimer's method, any user can create an account, which does not suggest a method to determine if the requestor has permission to request the account. In fact, enabling any guest user to create an account, as in Falkenhaimer, suggests an operation that is opposite from determining if the requestor has permission, as claimed by Applicant. Therefore, Falkenhaimer does not suggest a mode enablement to determine if the requestor has permission to request the account, as claimed by Applicant.*" (Page 8)

a. Examiner's response - The examiner notes that in Falkenhaimer, not any user creates a guest account, but rather any user may use a guest account as the guest account is related to only unrestricted objects (Col. 9 lines 14-22). Col. 8, lines 50-54, of Falkenhaimer states, "all of the users of the system in Fig. 1 **who desire any type of access to secured files** in the file system 12 must at some point "create an account" (emphasis added). As such, it is clear that account creation is related to secured files and the subsequent access to them (security considerations mentioned in col. 9 lines 1-13). Based on such logic, it is reasonable to improve upon the access control of Falkenhaimer by, for example, including a check for creation permission as outlined in the new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID LAZARO whose telephone number is (571)272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Lazaro/
Primary Examiner, Art Unit 2155
August 18, 2008